

## Área de enfoque 2: Seguridad económica

### Definición

1. ¿Cómo se definen los derechos humanos clave relacionados con la seguridad económica de las personas mayores en la legislación nacional en su país? Si no hay definiciones disponibles, ¿Cómo deberían definirse los derechos teniendo en cuenta los marcos jurídicos pertinentes nacionales, regionales e internacionales existentes?

The Inter-American Convention on the Protection of the Human Rights of Older Persons establishes two fundamental rights in terms of economic security:

- 1) Right to social security (Article 17) which states that all older people have the right to social security that protects them to lead a dignified life.
- 2) Right to work (Article 18) which states that older people have the right to dignified and decent work and equal opportunities and treatment with respect to other workers, regardless of their age.

### Alcance de los derechos

2. Proporcione referencias a los estándares legales nacionales existentes relacionados con la seguridad económica de las personas mayores en elementos normativos tales como:

- a) derecho a la seguridad social; incluyendo el ajuste regular de los beneficios con los cambios en la vida costos;
- b) derecho a un nivel de vida adecuado, incluidos vivienda, vestido, alimentación y agua, entre otros;
- c) derecho al trabajo; y si un salario mínimo nacional o algún mecanismo alternativo es para asegurar un nivel de vida adecuado, y si un sistema de indexación y existe un ajuste regular;
- d) prohibición de todas las formas de discriminación contra las personas mayores por motivos de edad, sola o combinada con otras causales, en todo lo relacionado con la seguridad económica;
- e) las conexiones entre los derechos económicos, sociales y culturales pertinentes con el derecho a la libertad de expresión, incluida la libertad de buscar, recibir y difundir información; y derechos de reunión pacífica y libertad de asociación;
- f) participación activa, libre y significativa de las personas mayores y sus representantes organizaciones en todos los asuntos relacionados con garantizar su seguridad económica, incluso en procesos políticos;
- g) acceso a remedios y reparaciones rápidas cuando los derechos de las personas mayores antes mencionados son violados.

Hereunder are the Articles of the Convention that establish legal standards related to the economic security of the elderly in relation to the aforementioned normative elements: Article 5, 6, 8, 9, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23,24, 27 and 28.

### Obligaciones del Estado

3. ¿Qué medidas y consideraciones especiales debe tomar el Estado para respetar, proteger y cumplir los derechos antes mencionados para garantizar la seguridad económica de las personas mayores?

To guarantee the economic security of older persons it's necessary to engage in three fundamental areas: to promote measures that favor the expansion of retirement coverage; to implement measures that improve the income levels of retired people; promote the implementation of indirect income mechanisms that contribute to improving the income levels of retired people.

### Implementación

4. ¿Cuáles son las mejores prácticas y los principales desafíos que enfrenta su país en la adopción e implementación del marco normativo antes mencionado para garantizar la seguridad económica de las personas?

In Argentina, according to the National Social Security Administration (ANSES), social security coverage reaches 97% of older persons; that is, 9 out of 10 women and men of retirement age. This means that almost all of the older persons residing in Argentina have a retirement and/or contributory or non-contributory pension (for old age) that, in addition to guaranteeing an income, provides medical coverage in accordance with the pension system. It should be noted that pension coverage in Argentina is one of the highest in the region and that it is essential to finance care services in old age.

Since the creation of the Argentine Integral Pension System in 2008, which implied the elimination of the privately funded system (AFJP) and allowed for the reinforcement of a public and solidarity regime financed through the intergenerational transfer and the approval of the Retirement Mobility, which established two annual increases of the income (in March and September) through the creation of a specific index, the National State sought to expand and improve the social security coverage of the older persons. Among the most important measures, the implementation of pension moratoriums stands out, which allowed the inclusion through retirement of older persons who had worked, but to whom no contributions had been made, a policy that mainly favored women.

In June of 2021, a central policy was launched to ensure the universality of women's right to retire, helping to repair the gap in access to social security that has affected women with sons or daughters when it comes to arriving to the retirement benefit: the recognition of contributions for care tasks. This measure, aimed at those women with daughters or sons who, having reached retirement age, lack the necessary years of contributions, seeks to make visible and repair a structural and historical inequality in the distribution of care tasks, and recognize by valuing the time that women have devoted to raising their daughters and sons.

For its part, PAMI implements various measures aimed at promoting the economic security of the elderly, among which economic subsidies stand out, whose function is to serve as an indirect income for retirees and pensioners. These subsidies are granted individually to members in a situation of socioeconomic vulnerability, with the aim of contributing to the coverage of their basic needs such as food security, access to housing and transportation, among others.

Besides, PAMI has a Care Program for Dependency and Fragility at Home, which aims to provide financial support to people affiliated with the institute who present situations of dependency and fragility, for which they require help to carry out instrumental activities and / or basics of daily life.

Lastly, another mechanism of indirect income for affiliated persons is the coverage of free medicines. In 2020, a new Vademecum of free essential medicines was implemented to guarantee the adequate treatment of the most frequent pathologies in the older persons, which implies 100% coverage of the majority of the medicines used by the elderly.